Attorney's Docket No.: 17075-019001/0123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Hendricksen et al.

Art Unit: 3743

Serial No.: 10/627,941

Examiner: Nihir B. Patel

Éiled

July 25, 2003

Conf. No.: 3677

Title

: BRONCHIAL FLOW CONTROL DEVICES WITH MEMBRANE SEAL

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

## Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Forms PTO-1449 (2 pages), cited non U.S. patent references, and a return postcard for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the abovereferenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

X

The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Fred C. Hernandez

Reg. No. 41,832

PTO Customer No.: 20985

Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130

Telephone: (858) 678-5625 Facsimile: (202) 626-7796 email: fhernandez@fr.com

> CERTIFICATE OF MAILING BY FIRST CLASS MAIL I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of I

Signature

Kelly M. Fischer

Typed or Printed Name of Person Signing Certificate

Attorney's Docket No.: 17075-019001 / 0123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 0 1 2005 Applicant: Michael Hendricksen et al. Art Unit :3743

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: BRONCHIAL FLOW CONTROL DEVICES WITH MEMBRANE SEAL Title

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN **ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (2 pages) and copies of the cited non U.S. Patent documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposi

Signature

Kelly M. Fischer

Typed or Printed Name of Person Signing Certificate

Applicant: Michael Hendricksen et al. Attorney's Docket No.: 17075-019001 / 0123

Serial No. : 10/627,941 Filed : July 25, 2003 Page : 2 of 2

Applicant also makes known to the Examiner the following pending U.S.

Applications that have one or more common inventors and/or are commonly owned:

<u>Ú.S.S.N.</u>	Filing Date	Docket No.
11/004,560	12/03/04	022001/0126
11/044,875	01/26/05	023001/0127
11/067,025	02/25/05	024001/0128
11/075,633	03/08/05	025001/0129
11/071,850	03/02/05	009002/0108B
11/092,123	03/28/05	009003/0108C

 Int'l Appl. No.
 Filing Date
 Docket No.

 PCT/US2005/07881
 03/08/05
 025WO1/0129PC

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Fred C. Hernandez

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Reg. No. 41,832

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Substitute Form PTO-1449

(Modified)

U.S. Department of Commerce Patent and Trademark Office Attorney's Docket No. 17075-019001/0123

Application No. 10/627,941

List of Patents and Publications for Applicant's Information Disclosure Statement

Applicant
Michael Hendricksen et al.

Filing Date July 25, 2003

Group Art Unit 3743

**U.S. Patent Documents** 

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	2003/0070682	04/17/03	Wilson et al	128	207.16	10/10/02
	AB	2003/0070683	04/17/03	Deem et al.	128	207.16	11/22/02
	AC	2003/0075169	04/24/03	Deem et al.	128	200.19	11/22/02
-	AD	2003/0075170	04/24/03	Deem et al.	128	200.19	1122/02
	AE	2003/0164168	09/04/03	Shaw et al.	128	200.24	05/18/01
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-	AI	2003/0212452	11/13/03	Zadno-Azizi et al.	623	1.24	06/03/03
	AJ	2004/0016435	01/29/04	Deem et al.	128	207.14	07/29/03
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-	AV	5,158,548	10/27/91	Lau et al.	606	194	07/24/91
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	AZ	5,803,080	09/08/98	Freitag	128	207.14	12/20/96
	BA	5,910,144	07/08/99	Hayashi	606	108	01/09/98

Examiner Signature

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute For (Modified)	m PTO-1449  U.S. Department of Commerce Patent and Trademark Office				Application No. 10/627,941				
		d Publications n Disclosure St		Applicant Michael Hendric	Applicant Michael Hendricksen et al.				
(37 CFR §1.98	3(b))			Filing Date July 25, 2003	-				
			U.S. Pate	nt Documents					
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate		
	ВВ	5,980,455	11/09/99	Daniel et al.	600	235	07/15/97		
	BC	6,027,508	02/22/00	Ren et al.	606	108	10/03/96		
	BD	6,190,381	02/20/01	Olsen et al.	606	32	01/21/98		
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	BF	6,280,464	08/28/01	Hayashi	623	1.11	06/07/99		
	BG	6,558,318	05/06/03	Daniel et al.	600	213	11/01/99		
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	Foreign Patent Documents or Published Foreign Patent Applications							
Examiner	Desig.	Document	Publication	Country or				lation
Initial	ID	Number	Date	Patent Office	Class	Subclass	Yes	No
	ВО	01/87170	11/22/01	PCT				
	BP	03/030975	04/17/03	PCT				
	BQ	03/099164	12/04/03	PCT				
	BR	04/010845	02/05/04	PCT				

	Other Documents (include Author, Title, Date, and Place of Publication)					
Examiner	Desig.					
Initial	ID	Document				
-						

Examiner Signature	Date Considered				
	<u></u>				
EXAMINER: Initial if citation considered, whether or not citation is in co	onformance with MPEP 609; Draw line through citation if not in				
conformance and not considered. Include copy of this form with next communication to applicant.					